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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/020,932 | 12/19/2001 | Mitsuyuki Goto | 217593US2 | 9890 |
| 22850 | 7590 | 01/11/2005 | EXAMINER | |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314 | | | KRAMER, JAMES A | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3627 | |

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/020,932 | GOTO ET AL. | |
| | Examiner | Art Unit | |
| | James A. Kramer | 3627 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 September 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-22 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Hahn-Carlson.

Hahn-Carlson teaches a shipment transaction system where a processor initiates a shipping transaction by generating a BOL (an image data generation step). The shipper processor sends the BOL to a data processing device and generates transaction information (image data storage step). The transaction information is sent to a central processor. The central processor identifies and centrally tracks the transaction information (document data storage step). The central processor also processes and stores all pertinent shipment information in a data storage unit and allows immediate access to this information by the shipper, the carrier and other authorized uses (data output step) (column 4; lines 5-18).

Hahn-Carlson further teaches an authorized user profile list that represents the users and combination of users that are authorized to use the system. Authorized user profile lists include a shipper profile list, a carrier profile list, a carrier/shipper profile list and a shipper access terminal profile list (column 7; lines 44-50). Examiner notes that this represents the identification data storage step of Applicant's claimed invention.

Examiner references Table 1 starting on column 5 line 55. The table represents the transaction information generated from the BOL. Examiner specifically note the Import/Export

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flag and notes that the BOL (image data) and transaction data (document date) generated includes information on exporting or importing goods.

Examiner also references Tables 2-5. In particular each table includes fields for date data (e.g. Open Date, Date of First Activity, etc). Examiner notes that this data date, which is stored by the system of Hahn-Carlson represents an execution date of procedures for exporting or importing goods.

Hahn-Carlson teaches receiving proof of delivery (e.g. column 13; line 17). Examiner notes that proof of delivery represents an illustration of correspondence between a person who conducts a procedure (carrier) and a person who receives said procedure (receiver) and outputting data representing the corresponding procedure (proof of delivery).

Response to Arguments

Applicant's arguments filed 9/21/04 have been fully considered but they are not persuasive. Applicant asserts that '896 fails to teach generating image data of a document on which a condition for exporting or importing goods is describe and as such '896 also fails to teach an image data storage step.

Examiner respectfully disagrees. For example, column 4; lines 5-25 of '896 teaches a shipper processor initiates the shipment transaction by acting in conjunction with a BOL rating engine to generate a rated BOL. Examiner notes that this rated BOL represents an image data of a document on which a condition for exporting or importing goods is described. In addition, since this image data is generated it must also be stored.

Applicant also asserts that '896 fails to teach an identification data storage step for storing identification data that identifies the party concerned with export or import of goods.

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Examiner, by way of example, points to '896 column 4; lines 39-49. Specifically, in a particular application, the shipment parameters include the identify of the carrier, identity of the receiver, the number of units, the weight of the shipment, the destination of the shipment, the date and the estimated date of delivery.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Kramer whose telephone number is (703) 305-5241. The examiner can normally be reached on Monday - Friday (8AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (703) 305-4716. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James A. Kramer
Examiner
Art Unit 3627

jak


Richard Chilcot
~~Supervisory Patent Examiner~~
Technology Center ~~2950~~ 3600